

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,

Debtor.¹

PROMESA

Title III

No. 17 BK 3283-LTS
(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO HIGHWAYS AND
TRANSPORTATION AUTHORITY (“HTA”),

Debtor.

PROMESA

Title III

No. 17 BK 3567-LTS

**INFORMATIVE MOTION OF AMBAC ASSURANCE CORPORATION, ASSURED
GUARANTY CORP., ASSURED GUARANTY MUNICIPAL CORP., NATIONAL
PUBLIC FINANCE GUARANTEE CORPORATION, FINANCIAL GUARANTY
INSURANCE COMPANY, THE BANK OF NEW YORK
MELLON, AND U.S. BANK TRUST NATIONAL ASSOCIATION
REGARDING THE FILING OF DOCUMENTS UNDER SEAL**

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Ambac², Assured, National, FGIC, The Bank of New York Mellon, in its capacity as CCDA bondholder trustee, and U.S. Bank, in its capacity as successor trustee for the PRIFA bondholders (collectively, the “Lift Stay Movants”) by and through their undersigned attorneys, respectfully submit this informative motion (the “Informative Motion”) regarding filing the Lift Stay Motions under seal. In further support of the Informative Motion, the Lift Stay Movants respectfully state as follows:

1. On April 17, 2020, the Lift Stay Movants, joined by AmeriNational Community Services, LLC, Cantor-Katz Collateral Monitor LLC, the UCC, and the Government Parties filed a *Stipulation and [Proposed] Protective Order* (ECF No. 12876) (the “Proposed Protective Order”) which proposed the handling of confidential documents and related information that were produced through discovery on the Lift Stay Motions.

2. On April 21, 2020, the Court filed the Protective Order approving the Proposed Lift Stay Protective Order. (ECF No. 12912.)

3. The Protective Order prohibits public disclosure of discovery marked as Confidential Material and provides that “[i]n connection with the Lift Stay Motions and pursuant to this Protective Order, the Parties are authorized to redact Confidential Material or Professional Eyes Only Material in public filings and are **not** required to file a separate motion to file under seal such Confidential Material or Professional Eyes Only Material.” (ECF No. 12912 ¶¶ 8, 21, 24 (emphasis added).)

4. To comply with the requirements of the Protective Order, the Lift Stay Movants are filing certain exhibits that the Government Parties marked as Confidential Material under seal, and

² Unless otherwise specified, defined terms have the meanings given to them in the *Stipulation and Protective Order* (ECF No. 12912) (the “Protective Order”) and Lift Stay Motions.

in addition are filing reply briefs and declarations in support of the Lift Stay Motions under seal, with redacted versions (omitting any discussion of discovery that the Government Parties marked as Confidential Material) filed publicly.

5. Lift Stay Movants take no position on whether any of the documents that the Government Parties have marked as Confidential Material in fact contain confidential or otherwise sensitive information such that it should remain under seal. Lift Stay Movants believe generally that all financial and related information of the Commonwealth and its instrumentalities, particularly other Title III debtors, should be publicly available. Lift Stay Movants are prepared to file all papers in unredacted form on the public docket, if the Court so directs.

[Remainder of Page Intentionally Omitted.]

Dated: April 30, 2020
San Juan, Puerto Rico

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CERTIFICATE OF SERVICE

I hereby certify that on this same date a true and exact copy of this notice was filed with the Clerk of Court using the CM/ECF system, which will notify a copy to counsel of record.

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